1912-014 Chancery Causes: Comr. of William Hill vs. Admr. of Morgan T. Hill &c
Lee Co.

Speak, Tucker, Cavin

1 Plat

- Deed

CA - Estate Dispute
T - Property

Virginia:

To the Honorable H. A. W. Skeen, Judge of the Circuit Court for Lee County.

Humbly complaining, your orator, M. M. Speak, committee for William Hill, an insane person, on behalf of himself and all others, the simple contract creditors of Morgan T. Hill, late of said County, deceased, who shall come in and contribute to the enpense of this suit, would respectfully represent and show unto your Honor that the said William Hill has been, by the proper authority, adjudged insane, and on the _____ day of September, 1911, by an order entered in your Honor's Court your orator was appointed committee for the said William Hill, and by virtue of said appointment he has taken charge of the estate of the said William Hill, and in doing so there came into his hands evidence of a note executed by Morgan T. Hill to the said William Hill for ($300.00) three hundred dollars for borrowed money, dated the 24th day of August, 1908, and payable six months after date, with interest fromdate, waiving the homestead exemption, which note was placed in the hands of W. Y. Tucker, Sheriff of said County, for collection on the 8th day of December, 1910, and which note has been lost or mislaid by said Tucker so that the same cannot now be found. The receipt of said Tucker, Sheriff as aforesaid, for said note is herewith filed as part hereof, marked exhibit No."1"; and the affidavit of G. W. Lowe, who delivered said note to said Tucker for collection; and, also, the affidavit of said W. Y. Tucker as to the delivery of said note, and the loss of the same, is herewith filed as part hereof, marked exhibit No."2", which note and no part thereof has ever been paid. A copy of the order appointing your Orator Committee is herewith filed as part hereof marked Exhibit "No 3."

Your orator will further represent and show unto your Honor that the said Morgan T. Hill departed this life on the 18th, day of August, 1908, intestate, and his estate was committed to W. Y. Tucker, Sheriff as aforesaid, on the

_____, day of _____,19_____, for administration. The said Morgan T. Hill at the time of his death left a widow, Mattie Hill, who has since married Jassel P. Cavin; and he also left as his children and heirs at law Lizzie Hill aged fourteen years; Stella Hill aged ten years; Pearl Hill aged eight years; Cecil Hill aged five years, and Eura Hill aged three years, to whom his estate descended; that the said Morgan T. Hill left no personal estate, at least the Administrator so reports, but he left the following real estate, to-wit; a tract of about twenty-five acres of land on or near Martin's Creek, in said County of Lee, adjoining Andy Johnson, _____ Pace and others; that he also owned another tract, purchased by him from V. A. S. Haley at the price of $700.00; and, also another tract or parcel, purchased by him from the said Haley, containing twelve or fifteen acres. On which last mentioned tract he built a dwelling house and made other permanent improvements.

No settlement of the administration account of the said W. Y. Tucker, Sheriff, and as such Administrator of the estate of the said Morgan T. Hill, deceased, has ever been made.

In tender consideration whereof, and for as much as your orator is remediless in the premises, save by the aid of a Court of Equity where matters of this nature are alone cognizable and relievable, to the end, therefore, that justice may be done in the premises, your orator prays that the said W. Y. Tucker, Sheriff and Administrator of the estate of Morgan T. Hill, deceased, Mattie Cavin, nee Hill, and widow as aforesaid; Lizzie Hill, Stella Hill, Pearl Hill, Cecil Hill and Eura Hill, children and heirs at law of said Morgan T. Hill, deceased, may be made parties defendants to this bill, and required to answer the same, but not under oath, answer under oath being waived; that a Guardian Ad Litem be appointed to appear and answer for said five children, heirs at law of said Morgan T. Hill, deceased, who are all infants. That an account be taken by and under a decree of this, your honor's court, of the said debts so

due to the said William Hill, and all other debts which were owing by the said decedent at the time of his death, and which still remain due and unpaid; and, that an account may also be taken of the said decedent's personal estate and effects received by or for the use of the said W. Y. Tucker, Sheriff and Administrator as aforesaid, and that the personal estate and effects of said Morgan T. Hill may be applied in payment of said debts in due course of the administration; and in case that it should appear that the said Morgan T. Hill's personal estate is not sufficient to pay the debts, funeral expenses, expense of administration, etc. against his estate, then that your orator,and the other creditors of said estate, have satisfaction of their debts against said estate out of the real estate belonging to said decedent, and that a sufficiency thereof be sold to pay said indebtness, subject to the said widow's dower in said real estate, which he asks may be laid off and assigned to her. And that your orator, and the said other unsatisfied creditors of the said Morgan T. Hill, deceased, may have such further and other relief in the premises as to court may seem meet and the circumstances of this cause require. And your orator will ever pray, etc.

James W Orr p.q.

M. M. Speak &c.
vs
Bill in Chancery.
W. Y. Lucker Schur &c
– et al.

1911 2nd October Rules
Bill filed, Spa ex-
ecuted on the de-
fendants
& D.N.
" 1st November Rules.
D.N. confirmed, Ans.
of G.A.L. filed &
Cause set for hear-
ing

Ewing Clerk Pd 4.72
Edds. Clerk Pd 6.30
Atty Rtd 15.00
Sup 1.50
Sh'ff. 1.00
J.C.C. 5.00
$33 52
Comm. Pd 13.50
$47 02
Attorney 5 00
Davidson Comr. Pd 4.00
$56.02
Edds C. Pd 3.31
$59.34

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of Lee County, Virginia:

The answer of Lizzie Hill, Stella Hill, Pearl Hill, Cecil Hill and Eura Hill, infants under the age of twenty-one years, by Geo.P.Cridlin, their guardian ad litem assigned to defend them in this cause, to a bill of complaint exhibited against them and others in the Circuit Court of Lee County by M. M. Speak, Committee for William Hill.

Respondents reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, or to so much thereof as they are advised it is material they should answer, by their said guardian ad litem, answering they say:

That they are infants of tender years, and by reason of their infancy, are incapable of understanding or of taking care of their rights and interests. They, therefore, by their said guardian ad litem, commend themselves and their rights and interests to the protection of the Court, and pray that no decree may be pronounced which will tend to their prejudice.

And now having fully answered, said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray &c.

Geo.P. Cridlin
Guardian ad litem for Lizzie Hill Stella Hill, Pearl Hill, Cecil Hill and Eura Hill.

Sworn to before me, by Geo.P.Cridlin,Guardian ad litem, this the 24th day of October, 1911.

H.C.T. Ewing, Clerk.

M. M. Speak Const. for &c.

vs. { In Chy.

W. J. Tucker, admr &c

Guardian ad litem Answer

Filed Oct. 24, 1911,

H. C. P. Ewing, Clerk

M. M. Speak, Committee for William Hill an insane person. Plaintiff

vs.) IN CHANCERY

W. Y. Tucker, Admr. of the estate of Morgan T. Hill, Dec'd. et al Defendants

THIS CAUSE came on again to be heard upon the papers formerly read in the cause. And was argued by counsel.

On consideration thereof, it is adjudged, ordered and decreed that the decree entered in this cause on May 6th 1912 be and the same is hereby modified so as to require James W. Orr, Commissioner in the cause, to convey, by proper deed, with covenants of special warranty, to William Hill instead of to M. M. Speak, Committee for said Hill, the tract of twenty-seven acres of land sold by said Commissioner to said Speak, as Committee as aforesaid; and it appearing from the report of said Commissioner, this day filed, that he has made to said William Hill the deed hereinbefore directed to be executed to him for the said twenty-seven acre tract of land by a proper deed to the said twenty-seven acre tract of land as herein directed, it is further adjudged, ordered and decreed that said report and deed, be, and they are hereby approved and confirmed; and,

It is further adjudged, ordered and decreed that said James W. Orr, who is hereby appointed a Commissioner for the purpose, do make to R. F. Giles a proper deed, with covenants of Special warranty, conveying to him the tract or parcel of land sold to him by said Commissioner, as surveyed and defined by M.M. Speak, County Surveyor, and report his action to this term of the Court. Which deed to said Giles having been made and reported by said Commissioner, as shown by his report this day filed in the cause, is approved and confirmed; and,

It is further adjudged, ordered and decreed that said M. M. Speak, Committee as aforesaid, and said R. F. Giles pay to said Commissioner Orr the sum of $5.00 each for making said deeds,

respectively, for which sums execution may issue. And said deed~~s~~ may be withdrawn from the papers of this cause by the grantees ~~therein~~ for recordation. And nothing further remaining to be done in the cause, the same is ordered to be stricken from the docket.

W. M. Speak for &c.
vs } Decree Final
W. Y. Lucker Admr &c et al.

Entered in C&B
No 9. page 337

Enter this decree.
H. A. L. W. Steen
Sept 5th 1912.

M.M.Speak, Committee for Wm.Hill, an insane person.....Plaintiff.
vs. IN CHANCERY
W.Y.Tucker, Admr. of the estate of Moragan T.Hill, Decd. et al...Defendants.

THIS CAUSE came on again to be heard upon the papers formerly read in the cause, and report of James W. Orr, Commissioner, of the sale of the real estate of the said Morgan T. Hill, deceased, showing that he sold the twenty-seven acre tract to the plaintiff, as Committee, for the benefit of his said ward, at the amount of his debt against said estate, to-wit, $334.65; and enough off of the eastern side of the home tract at $5.00 per acre, to R. F. Giles to pay the balance of the indebtedness, costs, &c., against said estate, filed in the cause on the 15th day of April, 1912. And was argued by counsel.

On consideration thereof, and said report being unexcepted to, it is adjudged, ordered and decreed, that the said report, and the sales therein reported, be and the same is hereby approved and confirmed. And it appearing necessary, it is adjudged, ordered and decreed that said Commissioner employ M. M. Speak, County Surveyor, to lay off to the said R. F. Giles the necessary number of acres purchased by him as reported by said Commissioner and to include in said boundary enough land to pay the balance of $98.54 as shown by said Commissioner Orr's report, and in addition thereto the amount necessarily expended in surveying and laying off said land to the said purchaser.

Said Commissioner Orr will pay out the costs in his hands to those entitled thereto, and will report his action under this decree to this Court at some future time, and he will execute to the said M. M. Speak, Committee for William Hill, a proper deed, with covenants of ~~general~~ special warranty, conveying to him the said twenty-seven acre tract, to be held by said Speak in trust for the benefit of his said ward, William Hill. And the cause is continued.

M. M. Speak Com for &c
vs
Decree Confirming Sale
W. J. Zucker Admr &c et al.

Entered in C.O.B.
No. 9 - page 295.

Modified by decree
Sept — 1912.

Enter this decree.
Ito W. Sim
May 6. 1912.

M.M. Speak, Committee for Wm. Hill an insane person.....Plaintiff.
)
)
vs.) IN CHANCERY.
)
W. Y. Tucker, Administrator of the estate of Morgan T. Hill, deceased, et al.....Defendants.

THIS CAUSE came on again to be heard upon the papers formerly read in the cause, and report of L. W. Saylor, G. L. Smith and James M. Shackelford, Commissioners appointed to lay off and assign to Mattie Cavin, (nee Hill), her dower interest in the real estate belonging to the said Morgan T. Hill, deceased, and plat therewith filed in the cause January, 31st 1912, and the report of W. L. Davidson, Commissioner appointed to settle the administration account of the defendant, Tucker, and ascertain the debts against the estate of the said Morgan T. Hill, deceased; the amounts, and to whom due, and whether or not the personal estate in the hands of said Administrator will be sufficient to pay said indebtedness, and if not, what real estate belonging to the said decedent's estate is subject to the payment of his indebtedness, its probable rental value and where situated, together with any matter deemed pertinent by said Commissioner or required to be reported by any party in interest, filed in the cause February, 1st 1912. And was argued by counsel.

On consideration thereof, and neither of said reports being excepted to, it is adjudged, ordered and decreed that the said report and plat of said Commissioners-Saylor, Smith and Shackelford, be and the same is hereby approved and confirmed; and that the Clerk of this Court record said report and plat in the deed book in his Office; and,

It is further adjudged, ordered and decreed that the report of said Commissioner, W. L. Davidson, be and the same is hereby approved and confirmed. And it appearing from said report that there is no personal estate out of which the indebtness against the estate of said Morgan T. Hill, deceased, can be paid, there being no personal estate in the hands of said Administrator, it is further

adjudged, ordered and decreed that unless said indebtedness reported by said Commissioner, together with the costs of this suit, are paid within thirty days from the adjournment of this Court, then James W. Orr, who is hereby appointed a Commissioner for the purpose, will proceed to sell,at the front door of the Courthouse,to the highest bidder, on a credit of one and two years, so much of the real estate belonging to said decedent as may be necessary to pay the indebtedness against said estate as reported by said Commissioner, together with the costs of this suit and the expense of sale, except as to the costs of suit and expense of sale,which will be required to be paid in hand, and for the deferred payments,notes, with good security, will be required of the purchaser, bearing interest from date and waiving the homestead exemption. Said Commissioner before selling will advertise the time, terms and place of sale for at least thirty days by written advertisements posted at the front door of the Courthouse of this County and in the vicinity of said lands. And he will sell first the twenty-seven acre tract reported by Commissioner Davidson,or a sufficiency thereof to pay said indebtedness,costs,etc. But should said tract be insufficient to pay said indebtedness,costs,etc. he will then sell in addition thereto so much of the other real estate, subject to said widow's dower, as may be necessary to pay said indebtedness,costs,etc. Said Commissioner Orr before selling will execute Bond before the Clerk of this Court,with security, in the penalty of $600.00, and will report his action hereunder to the next term of this Court. And the cause is continued.

M. M. Speak Committee

vs Decree to Q.

W. G. Lucker Admr. Decedt

3- 759

Entered in C.O.B. No 9, page 257

Monday

Recorded in Deed Book 52, page 208 Examined July 15, 1912 Indexed.

Enter this Decree.

Hughes Bland

Feb 12th 1912.

Virginia, Lee County, to-wit:

In the Clerk's office of Lee County, on this the 9th day of July, 1912, the foregoing commissioners' report and plat were presented, and admitted to record.

Teste: _____, Clerk.

M. M. Speak, Committee for William Hill, ...Plaintiff.
) an insane person,
vs.) IN CHANCERY.
)
W. Y. Tucker, Administrator of the estate
of Morgan T. Hill, deceased, et al....Defendants.

This cause came on to be heard upon the bill of the plaintiff and exhibits therewith; the process duly executed on the adult defendants; the answer of the infant defendants by Geo. P. Cridlin, guardian ad litem; the cause regularly matured at Rules, and set for hearing by plaintiff, and was argued by counsel.

On consideration whereof, it is adjudged, ordered and decreed that the plaintiff recover against the defendant, W. Y. Tucker, Administrator of the estate of Morgan T. Hill, deceased, the sum of($300.00) three hundred dollars, the amount of the note in the bill mentioned, with legal interest thereon from the 24th day of August, 1908 until paid, which note waived the homestead exemption, and the costs of this suit; and,

It is further adjudged, ordered and decreed that William L Davidson, who is appointed a Commissioner for the purpose to take, state and settle the account of said Tucker, Administrator as aforesaid, charging him with whatever personal estate came, or should have come, into his hands as such administrator, and giving him credit for all proper disbursements made by him.

Said Commissioner will further ascertain and report all outstanding debts against the estate of the said Morgan T. Hill, deceased, their amounts and to whom due, whether or not the personal estate in the hands of the said administrator will be sufficient to pay said indebtness and, if not, what real estate belonging to the said decedent's estate is subject to the

payment of his indebtedness, its probable rental value and where situated, together with any other matter deemed pertinent by said Commissioner, or required to be reported by any party in interest; and,

It is further adjudged, ordered and decreed that George Smith, Levi Saylor and James Shackleford, who are appointed Commissioners for the purpose, do go upon the real estate of said Morgan T. Hill, deceased, and lay off and assign to the defendant, Mattie Cavin, his widow, her dower interest in the real estate belonging to the said Morgan T. Hill, deceased and make a fair plat and report thereof, and return same to the clerk's office ten days before the next term of this Court. Said Commissioner, Davidson, will also make a report of his action, as such Commissioner, to the next term of the Court. And this cause is continued.

M. M. Speck for &c.

vs } Decree to 1.

W. J. Zucker Admr et al.

-P-

Entered in Ch. B.
No. 9, page 225 &c
Endorsed
Indexed.

Recorded in Deed
Book 52, page 200
Examined Dec 15/1912
Indexed.

Enter this decree.
H. W. Sluss
Dec 4 1911.

"Exhibit No. 6"

The deposition of James P. Cavin taken before the undersigned Commissioner in takeing and account in the Chancery cause of M. M. Speak, Committee,etc. plaintiff, vs. W. Y. Tucker, Administrator, etc. et al, defendants, pending in the Circuit Court of Lee County, Virginia, in taking an account in said cause pursuant to a decree entered therein at the December term 1911.

Present: Plaintiff and his counsel, James W. Orr.

Geo. P. Cridlin, Guardian Ad Litem.

The said James P. Cavin a witness of lawful age, being duly sworn, deposes and says:

Q. Please state your age, residence and occupation?

A. Forty-eight years old; reside at Rose Hill, Virginia, and am a farmer.

Q. Are you acquainted with William Hill and were you acquainted with Morgan T. Hill in his lifetime?

A. I am and was acquainted with said persons.

Q. State if you know when Morgan T. Hill died?

A. He died on the 15th day of August, 1908 as well as I remember.

Q. Please state if the said Morgan T. Hill left a widow and some children, and if so, give their names and ages as near as you can?

A. He left a widow, Martha or Mattie Hill, to whom I have since been married. He left the following children: Lizzie Hill fourteen years old; Stella Hill about ten years old; Pearl Hill about eight years old; Cecil Hill about five years old, and Eura Hill about three years old, to whom his estate descended.

Q. Do you know whether Morgan T. Hill left any personal estate when he died,to amount to anything?

A. He left some peraonsl property but perhaps no more than the widow would be entitled to under the poney law.

Q. What real estate did he leave at the time of his death?

A. He left one tract of land of about twenty-five acres which he bought from his father, William Hill, at the price of $300.0 Another tract of about seventy acres purchased from V. A. S. Haley and wife Francis A. Haley. The purchase from the Haleys was in three parcels containing in the aggregate about seventy acres and for these three tracts or parcels he paid $950.00. On one of the tracts containing eight acres, purchased by him from the Haleys, he build a dwelling house and made other improvements. And on this last mentioned tract his widow and children now reside. There is on this tract a barn, orchard, etc.

Q. Please state where this real estate is situated and do the several tracts adjoin each other or not?

A. On the waters of Martin's Creek. The eight acres is about one mile from Rose Hill station, and the other two Haley tracts adjoin this eight acres, and the other twenty-five acre tract purchased from William Hill is about one or one-and one-half miles from the Haley land and on the waters of Martins Creek.

Q. Please state if you know what portion of the land the widow of Morgan T. Hill desires should be assigned to her as dower in his estate?

A. I am satisfied she would want it assigned so as to include the dwelling, etc. where she now resides.

Q. Please state what you consider the rental value of the real estate left by Morgan T. Hill, deceased, beginning with the twenty-five acre William Hill tract.

A. The twenty-five acre tract on the waters of Martin's Creek ought to be worth $25.00 rental per annum. I think the

three Haley tracts all together ought to be worth $25.00.

Q. Please state anything you may know in regard to the $300.00 note that Morgan T. Hill owed to his father, William Hill, and in regard to any credits or payments made thereon?

A. It had been my understanding that Morgan T. Hill owed his father, William Hill, a note for $300.00 and I remember to have seen and read the note. All the payment that I know of on said note is, I delivered to William Hill, the creditor, forty-seven bushels and sixty pounds, in the years, of corn, which was to go as a credit or said note, and which I delivered about the 15th of November, 1911.

Q. What was that corn reasonably worth at the time you delivered the same per bushel?

A. It was worth sixty cents per bushel.

Q. Do you know of any other debts that Morgan T. Hill owed?

A. There is a balance of $21.39 due Francis A. Haley, purchase money on the Haley land. I know of no other outstanding debts against the estate. This was the amout about a week ago.

Q. Should there have to be a sale of a portion of the real estate of Morgan T. Hill, deceased, to pay the debts, which land does his widow and children prefer should be sold first?

A. They prefer that the twenty-five acre tract on the waters of Martin's Creek should be sold first.

And further this deponent saith not.

Signature waived.

Virginia,
Lee County, to-wit:

The foregoing deposition of James P. Cavin was taken and sworn to before me, at the time and place, and for the purpose in the caption mentioned.

Given under my hand this the 20th day of January, 1912.

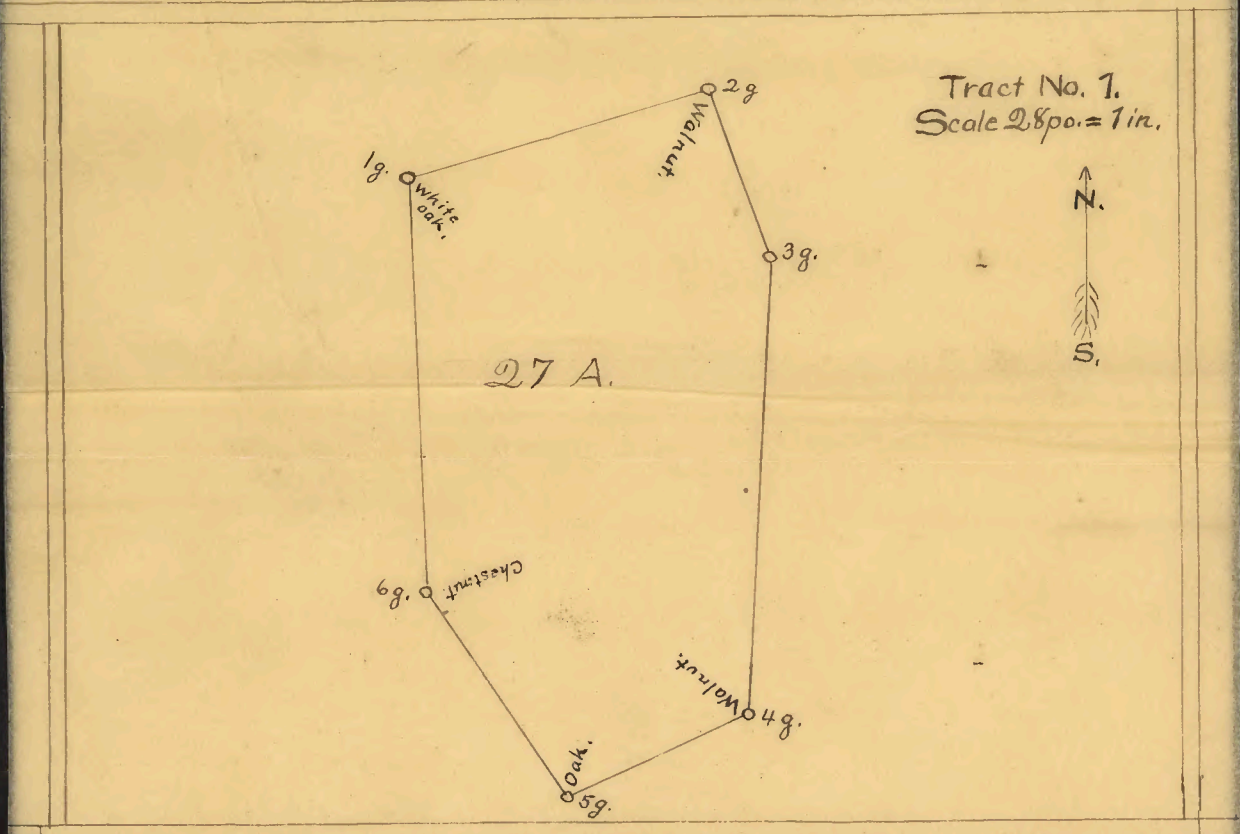
W. L. Davidson
Commissioner.

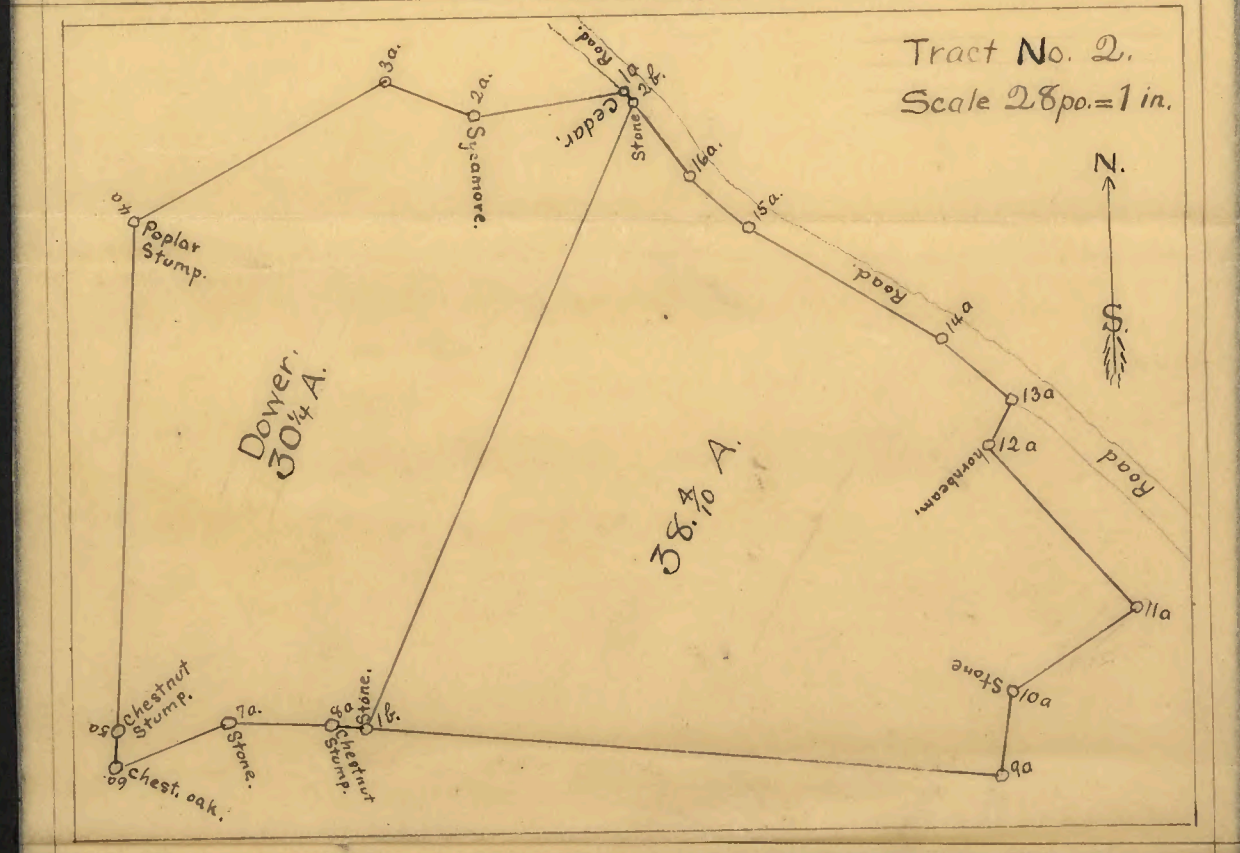
M. M. Speak Exr.
vs } Deposition
N. G. Tucker adm.

"Exhibit No. 6"

"Exhibit No.

MAP of the Lands of M. T. HILL, Deceased.





5"

Commissioner's Report.

W. M. Speak, Committee for William Hill, an insane person, } Plaintiff.

Vs.,

W. Y. Tucker, Administrator of the estate of Morgan T. Hill, deceased, et al, } Defendants.

To the Hon. H. A. W. Skeen, Judge of the Circuit Court of Lee County, Virginia:

We the undersigned, who were by a decree rendered by your Honor in the above styled cause, on the 4th day of Dec. 1911, appointed Commissioners for the purpose, and directed to go upon the lands in the Bill in said cause mentioned, it being the lands of Morgan T. Hill, deceased, and lay off and assign to Mattie Cain (nee Hill) his widow her dower interest in the real estate belonging to the said Morgan T. Hill, deceased, and make a map or plat thereof, beg leave to report as follows;

That, pursuant to said decree, we did go upon the said lands on the 23rd day of Jan. 1912, and found that said lands consisted of two tracts, (not adjoining) which is shown by the accompanying map or plat.

We then proceeded to survey said lands, and find that Tract No. 1, as shown by the map or plat is bounded as follows: Beginning at a large white-oak, (1.) on or near a line of Gilbert Saylor's land: Then, with said line, N. 74 E., 45 po., and 15 links, to a black walnut (2.) on or near said line; Then, leaving said line, S. 20 E., 25 po., and 19 links to a fence post (3.) where once was the corner of a small stable: Then, S. 3 W., 67 po., and 15 links, to a walnut (4.) on top of a hill:

then, S. 65½ W., 29 po., and 5 links, to a spotted-oak, (5a.) a corner to W. A. Pace's land; then, N. 34¼ W., 36 poles, to a chestnut (6a.) on a hill, another corner of said Pace's land; then, with a line of Wash. Cole's land, N. 2¾ W., 61 poles, to the beginning, containing 27 acres be the same more or less.

Tract No. 2, as shown by the map or plat is bounded as follows: Beginning at a cedar (1a.) on the west bank of a public road: then, S. 82¼ W., 23 po., and 15 links, crossing a branch to a sycamore (2a.); then, N. 67½ W., 14 po., to a stake, (3a.) a corner to the lands of Caleb Bass & W. C. Fulkerson: then, S. 61½ W., 42 po., to a large double poplar stump, (4a.); then, S. 2¾ W., 74 po., & 12 links, to a chestnut stump, (5a.) on a hill: then, S. 3½ W., 5 po., and 12 links, to a chestnut-oak, (6a.) a corner to James Shackleford's land: then, N. 68¼ E., 18 po., & 3 links, to a stone, (7a) Shackleford's corner: then, S. 88 E., 15 poles to a chestnut-stump, (8a.) a corner to said Shackleford's land: then, S. 84¾ E., 98 poles, to a stone, (9a.) said Shackleford's corner: then N. 7 E., 12 po., and 12 links, to a stone, (10a.) then, N. 57¼ E., 22 po., and 5 links, to a stone, (11a.) a corner to Robert Giles' land: then, N. 41½ W., 32 po., & 4 links, to a hornbeam, (12a.) above the head of a spring: then, N. 28½ E., 7 po., & 10 links to the west edge of a public road; (13a.) then along the west edge of said road as follows: N. 48 W., 13 po., & 15 lks., (14a.) N. 58¾ W., 32 po., & 9 lks., (15a.) N. 47¾ W., 11 po., & 18 lks., (16a.) N. 37¼ W., 15 po., and 15 links to the beginning, containing 68.65 acres, be the same more or less.

We then laid off and assigned to the said Mattie Cavin, widow of Morgan T. Hill, deceased, her dower interest in the lands of the said Morgan T. Hill, deceased, the same being one third (in rental value) of the two tracts of land described above, the said "Dower" being laid off all in one boundary from

Tract No. 2, as shown by the map or plat and is bounded as follows: Beginning at a cedar, (1a.) on the west bank of a public road, then S. 82¼ W., 23 po., and 15 links, crossing a branch to a sycamore, (2a.) then, N. 67½ W., 14 poles, to a stake, (3a.) a corner to the lands of Caleb Bales and W. C. Fulkerson, then, S. 61½ W., 42 poles, to a large double poplar stump, (4a.) then, S. 2¾ W., 74 po. and 12 links, to a chestnut-stump, (5a.) on top of a hill: then S. 3½ W., 5 po., and 12 links, to a chestnut-oak, (6a.) a corner to James Shackleford's land: then, N. 68¼ E., 18 po., and 3 links, to a stone, (7a.) Shackleford's corner: then, S. 88 E., 15 poles, to a chestnut-stump, (8a.) then, S. 84¾ E., 5 poles, to a stone, (1b.) then, N. 24¼ E., 98 po., and 10 links, to a stone (2b.) on the west bank of a public road: then, N. 37¼ W., 2 poles, to the beginning, containing 30¼ acres be the same more or less.

Reference is here made to the map or plat attached to this report, and the same is asked to be taken as part of this report.

All of which is respectfully submitted this the 29th. day of January, 1912.

Signed.

L. W. his x Taylor.
mark.
G. W. Smith.
Jas. M. Shackelford
Commissioners

Costs.

Levi Saylor.	Commissioners	$ 4	00
Geo. Smith.		$ 4	00
James Shackelford		$ 1	00
Joe. Cavins, Flagman		$ 1	50
M. M. Speck, assisting commissioners		$ 3	00

W. M. Speak Committee &c.

vs

Court's Report assigning Dower.

W. J. Tucker Admr &c et al.

Filed Jan. 31. 1912

J. D. Edds, Clerk

-2-

"Exhibit No 5."

Recorded in Deed

Book 52. page 201 &c

Examined July 18. 1912

Indexed.

M. M. Speak,Committee &tc.
vs
W. Y. Tucker,Admr. etc. et al.

The undersigned commissioner in this cause respectfully reports that pursuant to a decree rendered therein at the Dec term of the Court,1911,he proceeded on the 20th,day of Jan. 1912,at his office in the town of Jonesville,Virginia,to execute the requirements of said decree.

After giving the parties due notice of the time and place of his sittings,he proceeded on the above named date to take and settle the account of W. Y. Tucker,Admr.of the estate of Morgan T. Hill,deceased,and perform the duties required of him in said decree,by taking such evidence as he deemed sufficient to enable him to make his report on the various matters required of him,by the Court,in said decree.

He took the deposition of Jas. P. Cavin,in the presence of Jas. W. Orr,Counsel for Plaintiff,and George P. Cridlin,Guardian ad Litem for the infant heirs,which is herewith filed and asked to be read as a part of this report. and marked "Exhibit No. 6"

From said deposition and vouchers filed with your Commissioner, he wishes to submit to your Honor the following report on the matters required of him in the aforesaid decree.

I

W. Y. Tucker,Admr. of the estate of Morgan T. Hill,deceased, reports to your Commissioner that no personal property of any kind ever came into his hands to be administered,from said estate,and the deposition of Jas. P. Cavin,which is filed with and made a part of this report shows that Morgan T. Hill did not die seized of any personal property in excess of what is allowed his widow and children under the pony law.

II.

Your Commissioner further reports to your Honor ~~XXXXX~~ that there are only two debts reported and proved against the estate of Morgan T. Hill,deceased, viz; FIRST, a debt evidenced by a note,executed by Morgan T. Hill,for the sum of $300.00 to William Hill for borrowed money,and dated Aug.24th, 1908,and payable six months after date,it being the same note which is ~~reported~~ denied in the bill in this case,said note being lost and its existence proved by the affidavits of G. W. Lowe and W. Y. Tucker as well as a receipt given by said Tucker for said note which affidavits and receipt are ~~herewith~~ filed with the bill marked "Exhib-

it No. 2" and "Exhibit No1. respectively, and have referred to ~~asked to be read~~ as a part of this report.

SECOND: a debt evidenced by a note made to Francis A. Haley, dated on the 24th of Aug. 1908, and signed by M. T. Hill for the sum of $140.00 A balance of $24.40 is shown to be now due (Feb. 12 1912) on said note after giving all due credits on same, which note is herewith filed and asked to be read as a part of this report marked "Exhibit No.4"

III.

The real estate belonging to the estate of Morgan T. Hill, deceased, consists of two tracts of land situated on the waters of Martin Creek, in the County of Lee, and State of Virginia, and about one and one half miles apart. Tract No. 1. as shown on the map of the Commissioners appointed in this case tp lay off and assign to the widow her dower, and which is filed with their report Marked "Exhibit No. 5." contains 27 acres. Tract No.2 as shown by aforesaid plat or map contains 68 13/20 acres.

From the evidence before your Commissioner it seems that the rental value of said two tracts of land is rather small, owing to the neglected condition of said land, which rent is estimated at about $50.00 for both tracts per annum, including the widow's dower. and is not sufficient to pay debts and costs in five years.

The Commissioners appointed by your Honor in this case to lay off and assign the widow her dower in said lands, have pursuant to said decree laid off and assigned to said widow 30 1/4 acres of the 68 13/20 acre tract as set out above in this report, leaving only the 27 acre tract and 38 4/10 acres of the 68 13/20 acre tract subject to the payment of and liable to be sold for the decedent's debts. outside of dower.

Your Commissioner has been requested to advise your Honor to decree the sale of the 27 acre tract first as it is separate and apart from the tract upon which the widow and the children dwell, and he is of the opinion that this would be best for all concerned under the circumstances of the case.

Recapitulation

I. Debts against estate
1. Debt $300.00 with int to Feb 12, 1912 = $362.40
2. Debt $40.00 less credits + int to Feb. 12, 1912 = $ 24.40
Total amount of indebtedness against estate, $386.80

II. Real Estate Subject to the above indebtedness 1. Tract No 1, as shown by Exhibit No 5 containing 27 acres
2. " " 2 " " " " " " " 38 4/10 "

III. No personal property.

Respectfully Submitted.
W. L. Davidson
Commissioner

The $3000.00 note
sued on in cause
No. 1611 on docket
of this Court
Nov. 16th 1911
$28.71

J. C. Crenshaw, Clerk

M. M. Speak, Commr.
vs. Comm. Report.
W. J. Tucker, Admr. etc.

Filed July 1st 1912
J. D. Edds, Clerk

Commission Fee $4.00

M. M. Speak, Committee for William Hill an insane person. Plaintiff.

vs.) IN CHANCERY.

W. Y. Tucker, Admr. of the estate of Morgan T. Hill, Dec'd., et al. Defendants.

The undersigned Commissioner in this cause respectfully reports that pursuant to the decree entered in the cause at the May term 1912, he has executed to M. M. Speak, Committee for William Hill, an insane person, a deed, with covenants of Special warranty, conveying to him, for the benefit of his said ward, the tract of land purchased by him, it being the twenty-seven acre tract sold by your Commissioner to said Speak, Committee as aforesaid, on the 6th day of April, 1912, the purchase money for said tract of land having been paid by said Speak as such Committee by a cancellation of the debt owing to the said William Hill from the estate of Morgan T. Hill, deceased, which deed is herewith filed as part hereof, marked "DEED".

And pursuant to said decree, your Commissioner employed M. M. Speak, County Surveyor, to lay off to R. F. Giles the necessary number of acres, purchased by him at the price of $5.00 per acre, to pay the sum of $98.54, as shown by my former report, being balance necessary to be raised to pay the indebtedness of said estate and costs and expense of suit; and said Speak charged for his services the sum of $1.46, which makes a total sum of $100.00 necessary to be raised to pay said indebtedness, and entitles the said R. F. Giles to twenty acres as his said purchase. The Field Notes of said County Surveyor giving the metes and bounds of said twenty acres is herewith filed as part hereof marked "Field Notes". Said purchase money having been paid by said Giles, he is entitled to a deed conveying to him the said twenty acres as surveyed and laid off by said County Surveyor.

All of which is respectfully submitted, this June, 20th 1912.

James H. Ott. Comr.

M. M. Speak. Committee for &c
vs
Coner Orr's Report.
W. G. Lucker - Schur et al

Filed June 22nd 1912
J. D. Edds
Clerk

M. M. Speak, Committee for William Hill an insane person Plaintiff.

vs. IN CHANCERY.

W. Y. Tucker, Admr. of the estate of Morgan T. Hill, Dec'd. et al Defendants.

The undersigned Commissioner in this cause respectfully reports, that pursuant to the decree entered in the cause at the September term 1912, he has executed to R. F. Giles a deed, with covenants of special warranty, conveying to him the twenty acres of land purchased by him by metes and bounds as ascertained by M. M. Speak, County Surveyor, and shown by his Field notes filed with your Commissioner's report in the cause and filed August the 22d 1912, which deed is herewith filed as part hereof, marked "Deed to R. F. Giles."

Your Commissioner has paid out the costs in his hands as heretofore directed by a decree entered in the cause, and has paid the balance of the note to Francis Haley, shown to be due by Commissioner Davidson's report, amounting to $24.61.

There will be a small balance of estimated costs in your Commissioner's hands of some $2.00 or $3.00 and this he will apply to the payment of his fee for making the deed to M. M. Speak, Committee,&C., leaving R. F. Giles to pay your Commissioner for making him a deed for the parcel of land purchased by him.

And nothing further remaining to be done in this cause the same should be stricken from the docket.

James W. Poe Comr.

M. M. Speak Com for Dec
vs Decree Cajun's Report.
W. Y. Lucker Admr Recital.

M. M. Speak, Committee for William Hill an insane person. Plaintiff

vs.

IN CHANCERY

W. Y. Tucker, Admr. of the estate of Morgan T. Hill, Dec'd. et al. Defendants.

The undersigned Commissioner in this cause respectfully reports that pursuant to the decree this day entered in the cause he has executed to William Hill, a deed, with covenants of Special warranty, conveying to him the tract of land laid off by M. M. Speak, Committee for the said William Hill, at a sale made by your Commissioner in this cause, it being the twenty-seven acre tract sold by your Commissioner to said Speak, Committee as aforesaid, on the 6th day of April 1912. The purchase money for said tract of land having been paid by said Speak, as such Committee, by a cancellation of the debt owing to the said William Hill from the estate of Morgan T. Hill, deceased, which deed is herewith filed as part hereof marked "Deed". And pursuant to said decree of May 6th 1912, your Commissioner employed M. M. Speak, County Surveyor, to lay off to R. F. Giles the necessary number of acres purchased by him at the price of $5.00 per acre to pay the sum of $98.54 as shown by a former report, it being the balance necessary to be raised to pay the indebtedness of said estate, and costs and expense of suit; and said Speak charged for his services the sum of $1.46 which made a total sum of $100.00 necessary to be raised to pay said indebtedness, and entitled the said R. F. Giles to twenty acres as his purchase. The Field Notes of the said County Surveyor, giving the metes and bounds of said twenty acres, is herewith filed as part hereof marked "Field Notes". Said Purchase money having been paid by said Giles he is entitled to a deed conveying to him the said twenty acres as surveyed and laid off by said County Surveyor.

Respectfully submitted, this September, _____, 1912.

James W Orr Comr.

M. M. Speak for &c.

vs

Camps Report of
Mrs Hill dec'd.

W. G. Tucker Admr &
et al.

Filed Sept. 5th 1912.
J. D. Edds, Clerk

M. M. SPEAK,
County Surveyor.
Plane Surveying Only.

Route 1, Box 49
Rose Hill, Va., June 12 1912.

Field Notes of land from the estate of M. T. Hill, Decd. to R. F. Giles.

Beginning at a hornbeam at the head of a spring then, N. 2 8½ E. 7 po. and 10 links to a stake at a public road: then along the road as follows: N. 48 W., 13 po. & 15 links: N. 58¾ W., 32 po. and 9 links: then leaving the road S. 8 W. 75 po. and 10 links to a stone in James Shacklesford's line: then with it, S. 84¾ E. 46 po. and 10 lks. to a stake, Shacklesford's corner: then N. 7 E. 12 po. & 112 links to a stone, a corner to Levi Shacklesford's land: then, N. 57¼ E. 22 po. and 5 links to a stake: then, N. 41½ W., 32 po. and 4 links to the beginning, containing 20 acres.

Signed.
M. M. Speak

Mr. Orr;

My charge for the above work was $1.46, which was paid to me by Mr. Giles, making a total of $100.00 paid by him, which entitles him to 20 acres of land, which amount I surveyed and layed off to him, as shown by the above Field Notes.

Yours truly
M. M. Speak

Field Notes.

M. M. Speak, Committee for William Hill an insane person. Plaintiff

vs.

IN CHANCERY.

W. Y. Tucker, Admr. of the estate of Morgan T. Hill, Dec'd, et al. Defendants.

The undersigned Commissioner in this cause respectfully reports that pursuant to the decree entered in this cause he has executed to R. F. Giles a deed, with covenants of Special warranty, conveying to him the twenty acres of land purchased by him from said Commissioner by the metes and bounds as ascertained by M. M. Speak, County Surveyor, as shown by his Field Notes filed with your Commissioner's report in the cause. Which deed is herewith filed as part hereof marked "Deed to R. F. Giles".

Your Commissioner has paid out the costs in his hands as heretofore directed in the cause, and has paid the balance of the note due Francis A. Haley, shown to be due her by Commissioner Davidson's report, amounting to $24.61.

There will be a small balance of estimated costs in your commissioner's hands of some $2. or $3.00 and this, he will apply to the payment of his fee for the making of the deed to William Hill, thus leaving the said R. F. Giles to pay your Commissioner for making him a deed for the parcel of land purchased by him. Nothing further remaining to be done in this cause the same should be stricken from the docket.

James W. Orr Comr.

L

M. M. Speak for &c.

vs } Canon Report -
Final & Giles -
Died.

W. G. Lucker Admr & al. et al.

Filed Sept 5th 1912.
J. D. Eddo, Clerk

M. M. Speak, Committee for Wm. Hill.....Plaintiff:

vs. (IN CHANCERY.

W. Y. Tucker, Administrator, &c., et al.....Defendants.

The undersigned Commissioner in this cause respectfully reports that pursuant to a decree entered herein on the 12th day of February, 1912, he proceeded on the 6th day of April, 1912, to sell to the highest bidder, upon the terms prescribed in said decree, and after advertising as in said decree required and executing bond as required, enough of the real estate of Morgan T. Hill, deceased, to pay the debts reported against his estate in said cause, together with the costs of suit and expense of sale. Which sale was made at the front door of the Court-house of said County, and at which sale the plaintiff, M. M. Speak, for the benefit of his ward, William Hill, bid ~~offer~~ off the twenty-seven acre tract of land in the proceedings mentioned at the price of the amount of the debt in favor of said William Hill against said estate, to-wit, the sum of ($334.65) three hundred and thirty four dollars and sixty-five cents. This sale left the sum of ($98.54) ninety-eight dollars and fifty-four cents to be raised from the sale of the other real estate belonging to the estate of the said Morgan T. Hill, deceased, known as the home tract, and your Commissioner offered for sale enough of said home tract, to be laid off of the eastern end thereof by a line running north 45 E from the James Shackelford line, which is the southern boundary line of the said Morgan T. Hill's land, to raise the required sum of $98.54 by the acre. R. F. Giles offered $5.00 per acre for enough of said land thus to be laid off to pay said sum of $98.54, and this being the best bid offered the same was knocked off to him at that price.

The plaintiff did not execute any note for his purchase as the same is to be applied in satisfaction of the debt heretofore decreed in his favor against said estate, and your Commissioner considers this a prudent and proper action by said plaintiff, and

in the interest of his said ward, who lives on said twenty-seven acre tract, and it is desirable that the same should be secured to him for a home. And your Commissioner recommends the confirmation of this sale, and that the debt be simply cancelled. The said tract of land conveyed by your commissioner to the said Speak, as committee, to be held by him in trust for the benefit of his said ward, William Hill, who has been adjudged an insane person.

The purchase by Mr. Giles should be surveyed and laid off to him, and your Commissioner recommends a confirmation of this sale, and that the costs or expense of laying off the same to him be included in the costs of the suit, and enough land laid off to him to pay the said $98.54 and the additional sum of expense to be incurred in laying off the same to him. Mr. Giles paid your Commissioner the amount of his purchase- that is the $98.54, and will pay the additional sum as soon as it is ascertained, and he will then be entitled to a conveyance of the number of acres purchased by him at the price of $5.00 per acre when the boundary is ascertained.

The costs of suit as taxed by the Clerk is $56.03, the commission on the sale is $17.06, which your commissioner has in his hands subject to the order of the Court.

It will be seen by a reference to the report of Commissioner filed in the cause assigning dower to the widow of Morgan T. Hill, deceased, that there are thirty-eight and four-tenths acres of the home tract not covered by the dower, and the sale to Mr. Giles was made off of the eastern end of this thirty-eight and four-tenths acres which is not covered by said dower.

James H Mc Cann

W. M. Speak Committee

vs

Report of Sale.

W. Y. Lucker Sel'r et al.

Filed April 16th 1912.

J. D. Edds,
Clerk

THIS DEED made this the 5th day of September 1912, by and between James W. Orr, Commissioner as hereinafter set forth, party of the first part, and William Hill, of the County of Lee and State of Virginia, party of the second part.

W I T N E S S E T H:

That whereas by a decree of the Circuit Court of the County of Lee entered on the 12th day of February 1912, in the Chancery cause entitled M. M. Speak, Committee for William Hill an insane person, vs. W. Y. Tucker, Administrator, &c, et al, therein pending, it was, among other things, adjudged, ordered and decreed that James W. Orr, who was thereby appointed Special Commissioner, for the purpose, shall sell by public auction, after certain advertisements, and upon certain terms in the said decree fully set forth, certain real estate therein described; and

Whereas the said James W. Orr, Commissioner as aforesaid, pursuant to said decree, did on the 6th day of April 1912, after having duly advertised the same in accordance with the terms of the said decree, offer for sale by public auction the following described real estate, to-wit: The twenty-seven acre tract of land in the proceedings in said cause mentioned, and on which tract the said William Hill resides. At which sale the said M. M. Speak, Committee as aforesaid, made the last and highest bid therefor, and became the purchaser thereof at the price of($ 334.65) three hundred and thirty four and sixty-five hundredths dollars; the same being the amount of the note, in the proceedings mentioned, owing by the said Morgan T. Hill, deceased, to the said William Hill; and,

Whereas the said sale was duly reported to the Court by said Commissioner and was by another decree, entered in the said cause on the 6th day of May 1912, by the said Court, approved and confirmed; and,

Whereas the said M. M. Speak, Committee as aforesaid,

hath paid the whole of the said purchase money by canceling the said debt against the estate of Morgan T. Hill, deceased., in favor of the said William Hill, which payment thus made was duly reported to said Court; and whereupon by another decree entered by the said Court, in said cause, on the 5th day of September 1912, the said James W. Orr was appointed Commissioner to execute and deliver to the said William Hill a good and sufficient deed, with special warranty conveying said real estate to said William Hill in fee simple:

Now, therefore, this deed WITNESSETH: That for and in consideration of the premises and in obedience to the said last mentioned decree, the said James W. Orr, Commissioner as aforesaid, doth grant unto the said William Hill, with special warranty, the real estate hereinbefore fully described.

Witness the following signature and seal.

James W Orr

Commissioner.

Virginia,

Lee County, to-wit:

I, Golden Barton, a Notary Public for the County aforesaid, in the State of Virginia, do certify that James W. Orr, Commissioner, whose name is signed to the writing hereto annexed, bearing date on the 5th day of September 1912, has acknowledged the same before me in my County aforesaid.

My Commission expires on the 29th day of July 1915.

Given under my hand this the 5th day of September 1912.

Golden Barton N.P.

Wm Hill

From Deed.

James W Orr. Comr.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 6.

This Deed, Made this 17th day of June, 1912, between James W Orr

Special Commissioner, as hereinafter set forth, party of the first part, and M. M. Speak Committee for William Dill (Lunatic), of the County of Lee State of Virginia, party of the second part:

WHEREAS by a decree of the Circuit Court of the County of Lee entered on the 12th day of February 1912, in the chancery cause entitled M. M. Speak, Committee for Wm Dill an insane person, against W. G. Tucker Adm'r &c et al., therein pending, it was, among other things, adjudged, ordered and decreed that James W Orr

, who was thereby appointed Special Commissioner, for the purpose, shall sell by public auction, after certain advertisements, and upon certain terms in the said decree fully set forth, certain real estate therein described; and

WHEREAS the said James W Orr Commissioner as aforesaid,

pursuant to the said decree, did on the 6th day of April, 1912, after having duly advertised the same in accordance with the terms of the said decree, offer for sale by public auction the following described real estate, to-wit: The twenty seven acre tract of land in the proceedings in said cause mentioned.

At which sale the said M. M. Speak, Committee as aforesaid, made the last and highest bid therefor, and became the purchaser thereof at the price of Three hundred & thirty four and 66/100 dollars; and

WHEREAS the said sale was duly reported to the Court by the said Special Commissioner,

and was by another decree, entered in the said cause on the 6th day of May, 1912, by the said Court, approved and confirmed; and

WHEREAS the said M. M. Speak, Committee as aforesaid hath paid the whole of the said purchase money, by canceling his debt against the estate of Morgan V. Hill deceased, which payment was duly reported to the said Court; and whereupon by another decree, entered by the said Court in the said cause on the 6th day of May, 1912, the said James W Orr was appointed Special Commissioner to execute and deliver to the said M. M. Speak, Committee for said Mrs Hill an insane person, a good and sufficient deed, with special warranty conveying the said real estate to said M. M. Speak, Committee as aforesaid, in fee simple:

NOW, THEREFORE, THIS DEED WITNESSETH, That for and in consideration of the premises and in obedience to the said last mentioned decree, the said James W Orr Special Commissioner as aforesaid, do grant unto the said M. M. Speak, Committee as aforesaid with special warranty, the real estate hereinbefore fully described.

Witness the following signature and seal:

James W Orr Commissioner SEAL

SEAL

SEAL

State of Virginia, County of Lee to-wit:

I, Golden Barton, a Notary Public for the County aforesaid, in the State of Virginia, do certify that James W Orr Commissioner whose names is signed to the writing hereto annexed, bearing date on the 17th day of June 1912, has acknowledged the same before me in my County aforesaid.

Given under my hand this 17th day of June, 1912.

Golden Barton N. P.

In the Court Clerk's Office of the of

the day of 19 :

This deed was this day presented to me in my said office, and, with the certificate annexed, admitted to record at o'clock M.

Teste:

Clerk.

FORM No. 6

James W Orr
Commissioner.

Special Commissioner

to } DEED OF BARGAIN AND SALE.

W. W. Speak, Committee
for Mrs Hill.

19

Presented in office and, with

certificate , admitted to record at

o'clock M.

Clerk

Recorded—Deed Book

Page

Clerk's Fee, - - - - - $

Tax, - - - - - - -

"Deed"

"Exhibit No 1"

Received of Wm Hill one note for $300
Three Hundred Dollars dated Aug 24, 1908
for collection This Dec the 8th 1910
W. G. Tucker Sheriff

Exhibit, No 1.

"Exhibit No 4"

Two years after date I
Promise to pay Francis A Healy
one Hundred and forty
Dollars for value received
as witness my hand this
Exemption laws as to this
Note this note bears
no interest till paid
Aug 24 1908

M. J. Hill

Morgan
Hill
Note

Aug 25 - 1910

Cr the within note by
$100.00 rec'd $ J. H. Hobbs

Dec 14 - 10 cr by
corn $6.00

Nov 13 - 1911 cr by cash $9.00

Jan 1 - 1912 cr by cash $3.60

"Exhibit No 4."

Exhibit No 2.

Virginia,

Lee County, to-wit:

This day G. W. Lowe personally appeared before me and made oath that on December, 8th, 1910, he delivered to W. Y. Tucker, Sheriff of Lee County, for collection a note executed by Morgan J. Hill for $300.00 to William Hill for borrowed money, and dated August, 24th, 1908 and payable six months after date, and which note I think waives the homestead exemption, but affiant cannot state whether said note bears interest from its date or was to bear interest from the time it became due; that he is informed by said Tucker that said note has been lost or mislaid so that the same cannot now be found.

Also personally appeared before me W. Y. Tucker, Sheriff as aforesaid, who made oath that said note described by affiant Lowe was delivered to him as stated for collection, and for which he gave a receipt to William Hill, the said Lowe acting for the said William Hill; that said note has not been collected,or any part thereof, by him, and that the same has been misplaced or lost; that he, after diligent search, has been unable to find the same.

Given under my hand this the 5th day of September, 1911.

Golden Barton N.P.

Wm Hill

Affidavits as to
lost Notes

Exhibit, No 2.

"Exhibit No. 3"

Virginia,

At a Circuit Court continued and held for Lee County, at the Courthouse thereof, on Tuesday, the 5th day of September, 1911.

On motion of G. W. Lowe, Son-in-law of Wm. Hill, and it appearing to the court that said Hill has been adjudged a lunatic. It is ordered that M. M. Speak be and he is hereby appointed a committee of said Hill and thereupon said Speak together with N. Wygal and G. W. Lowe, his surety therein, entered into and acknowledged a bond in the penalty of ($500.00) Five Hundred Dollars, conditioned as required by law, and said bond being acknowledged by the obligors is ordered to be recorded. And the said M. M. Speak took the oath required by law.

Virginia, Lee County, to-wit:

I, H. C. T. Ewing, Clerk of the Circuit Court in and for the county and state aforesaid, do hereby certify that the foregoing is a true and perfect copy of an order appoint M. M. Speak Committee for Wm. Hill, as the same appears of record in Common Law Order Book No. 7, page 473.

Given under my hand, on this the 6th day of October, 1911.

H. C. T. Ewing,

Clerk.

M. M. Speak, Com.
for
Wm Hill Copy of Order.

Exhibit. No 8.

Wm Hill sold to Morgan, or M. L. Hill, a tract of land, in Co. an or near Martin's crk. adjoining Andy Johnson land. Price & others. about 25 A. for $300- which he paid & then Morgan Hill borrowed the money back, and executed a not therefor to Wm Hill. which note is lost. (See affidavit)
Morgan Hill is dead & Lucker Admr.
left widow Mattie Hill & 5 or 6 children.
Morgan Hill owned another tract, sold him $700.00 from V. L. S. Haley, & another piece from Haley 12 or 15 A. Built on this.
Is estate came into Lucker's hands as Admr.
Spring creditors suit.
Widow wants the 25 A tract sold first.
Wm Hill has been in Asylum.
Can be sue by next friend or will he have to have a committee.

Wm Hill.

Memo.

M. M. Sleat Cam'
for Wm Hill
Sept 5-11 1916

No. Pupil Age Grade

Subject Teacher

Date Time Used Standing

Morgan & Hill's Est. Dr.

To costs of suit, taxed by clerk. $ 56.03

" Debt due to Wm Hill, note as calculated by Comr Wm L Davidson to Feb 12/12 362.40

" Interest from Feb 12th to April 6th 1912. 1.62

364.02

" Debt due to V. A. S. Valby, bal Feb 12/12 24.40

" Interest from Feb 12th to April 6th 1912. .21

24.61

Total - $ 444.66

Comr's on this amt, to be paid down $ 17.90 17.90

$462.56

Costs of suit to be paid " 56.03

Total to be paid down $ 73.93

Bal in one year, Sale. 194.32

In two years, Sale 194.31

$ 462.56

Sale April 6th 1912 or on the $300 note due Nov 16th 1911 47.6 Logs corn at 60cts 28.71

Int to Apr 6th 1912 .66

29.37

Sell first the 27 Acre Tract No 1. $ 433.19

Tract No 2. 68.65 Acres. Of this 30 1/4 A. is down & 38 1/10 A outside of down. (This)

Sell next the 38 1/10 Acres or so much.

Total amt. $433.19

Comr Costs to $17.06 73.09

56.03

$ 360.10

One note 180.05-

Another " 180.05-

$ 360.10

The bal of the Wm Hill debt is Saving the said amt of other land $ 98.54 $534.65-

98.54

433.19

The $98.54 to be laid off on East side of tract by a line running from the Shackelford line N. 45 E. across tract, so as to include the amount.

M. M. Shark for VC
Memo of Amt
Total $462.56
Daum 373.23

274 at $2.00 - Shark
Bal 11 5700

Mill Creek - $334.66
Bal. 98.54
$433.79

R. F. Gibbs $5 - for M. M. Shark Calv. $334.65 -
for the 27 A.
Sold Nov 6th 1912.

M. M. Check for $.

N. Y. Lucker Admr et al

Nill debt. $ 334.66
Haley " 24.61
Costs of suit 56.03
Conn 17.90
$ 333.19

27 A. 334.65-
20 A. Writs - 98.54
$ 433.19

JAMES W. ORR,
ATTORNEY-AT-LAW,
JONESVILLE, VA.

Mr. M. Sloan Esq
Meaver,
Atty. Lucerne
Mich

JAMES W. ORR
ATTORNEY-AT-LAW
JONESVILLE, VA.

Was ~~adjud~~ found to be insane by a legal Commission of lunacy as provided by statute, and committed to an asylum where he remained for some time & then returned M. M. Shaft, Committee for Mrs Hill, an insane person. Pltff.

vs

W. V. Tucker, Sheriff and ~~administrator~~ of the estate of M. T. Hill deceased, Hattie Lewis, nee Hill, ~~widow~~ of said decedent, and Liggie Hill, Stella Hill, Pearl Hill, Lucile Hill & Anna Hill children & heirs at law of said Morgan T. Hill dec'd. Defts.

Issue joined in chy & affidavit filed for last four who are infants. Guardian ad litem

M. M. Speak Committee

Menus.

Land Sale.

M. M. Speak for &c.
vs.
W.Y Tucker, Admr. &c. et al. } *IN CHANCERY.*

Pursuant to decree of the Circuit Court of Lee County, Virginia, at the February *term, 19*12*, in the above styled cause. the undersigned will, at public outcry, at the front door of the Courthouse of said county, on* 6th *day of* April *19*12 *proceed to sell, to the highest and best bidder, on a credit of* one and two years *time, except so much as may be necessary to pay the cost of suit and expense of sale, which will be required to be paid in hand, the following described real estate:* So much of the real estate of Morgan T. Hill, deceased, and in said cause mentioned, as will be necessary to pay the amount of indebtedness against said estate reported in said cause by Commissioner, Davidson, and the costs of suit and the commission on sale; selling first the twenty-five acre tract reported by said Commissioner.

Bonds with good and approved personal security will be required of the purchaser for the deferred payments. This 5th *day of* March *1912*

James W. Orr *Commissioner.*

The Bond required by Law has been given.

, *Clerk.*

M. M. Speak for &c.
vs Advertisement
W. Y. Lucker ~~Schyr~~ et al

Copy posted at C. H.
Labor & sent Sealy
Bros & E. P. Finger
Oct 5th 1912.
Clr.

Jonesville, Va., 191

M

To J. D. EDDS, Clerk, Dr.

191

M. M. Speak Dom
(vs W. H. Tucker admon)
Costs:

Ewing clerk	$ 4.73
Edds "	9.61
Atty	15.00
W. T.	1.50
Sheriff	1.00
Comrs fee	13.50
S. a. L.	5.00
Comrs	4.00
Est cost	5.00
Total	$59.34

M. M. Greek Jar &c
vs
W. G. Lucker & Co

Costs.

9.61
6.30
Clk. $ 3.31

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon H. Y. Tucker, Sheriff and administrator of the estate of Morgan T. Hill, deceased, Mattie Cain, nee Hill, widow of said deceased, and Lizzie Hill, Stella Hill, Pearl Hill, Cecil Hill, and Erma Hill, children and heirs at law of said Morgan T. Hill, deceased

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 3rd Monday in Oct., 1911, to answer a bill in chancery exhibited against them in our said Court by M. M. Speak, committee of Wm Hill an insane person.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 7th day of Oct 1911, and 136 year of the Commonwealth.

H. C. T. Ewing, Clerk

A Copy. Teste:

_____, Clerk

Executed on the 16th day of Oct. 1911 by delivering a true copy of the within to Mallie Comer in person.

L. E. Sargent D. S.

For W. Y. Tucker S.F.L.C.

M. M. Sheap, Committee

vs

SUBPOENA

IN CHANCERY.

W. Y. Tucker, Sheriff & Admr.

James W. Orr, p. q.

To 2nd Oct Rules

Circuit Court.

1911

Executed by delivering a true copy of the within process to W. Y. Tucker Sheriff and Admr. of Morgan T. Hill, Died., on this the 7th day of Oct 1911.

L. C. Courtney D. S. for W. Y. Tucker Sheriff of Lee Co. Va.